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MAY 31 2005

TOWNSEND AND TOWNSEND AND
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Two Embarcadero Center
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San Francisco, CA 94111-3834

In re Application of
Mark Thompson
Application No. 09/965,667
Filed: September 26, 2001
For: SYSTEMS AND METHODS TO FACILITATE
PAYMENT FOR SHIPPED GOODS

**DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT**

This is a decision on applicants' petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on January 6, 2005, under 37 CFR 1.181.

The petition is **DISMISSED**.

A review of the file record reveals that the application is currently considered by the office to be abandoned. However, no Notice of Abandonment has been mailed. An appeal brief was filed July 7, 2004, but not entered due to a Notice of Appeal not being filed.

The petition indicates that a Notice of Appeal was filed on May 7, 2004. In support thereof, the petitioner includes a copy of the non-received postcard receipt and a statement under 37 CFR 1.8(b)(3) by Nina L. McNeill attesting to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing.

Any petition to withdraw the holding of abandonment based upon a Certificate of Mailing must provide the following:

- (1) A copy of the original response bearing a signed Certificate of Mailing which includes the date of signing; and
- (2) A statement under 37 CFR 1.8(b)(3) by the person who signed the certificate attesting to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing (see 37 CFR 1.8 and MPEP 512).

While meeting requirement (2) above, the petition fails under requirement (1) to provide a copy of the original response bearing a signed Certificate of Mailing which includes the date of signing.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.181."



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SNM/jwk: 5/24/05